

|             |             |             |
|-------------|-------------|-------------|
| Tanner      | Traficant   | Weldon (PA) |
| Tauscher    | Turner      | Weller      |
| Tauzin      | Upton       | Whitfield   |
| Taylor (MS) | Velázquez   | Wicker      |
| Taylor (NC) | Vitter      | Wilson      |
| Terry       | Walden      | Wolf        |
| Thomas      | Walsh       | Wu          |
| Thornberry  | Wamp        | Wynn        |
| Thune       | Watkins     | Young (AK)  |
| Tiahrt      | Watts (OK)  | Young (FL)  |
| Tiberi      | Weldon (FL) |             |

## NAYS—132

|             |                |               |
|-------------|----------------|---------------|
| Abercrombie | Gutierrez      | Mink          |
| Allen       | Hastings (FL)  | Mollohan      |
| Andrews     | Hilliard       | Murtha        |
| Baca        | Hinchey        | Nadler        |
| Baldacci    | Hinojosa       | Napolitano    |
| Baldwin     | Hoefel         | Neal          |
| Barrett     | Holden         | Oberstar      |
| Becerra     | Honda          | Obey          |
| Berman      | Hootley        | Oliver        |
| Blagojevich | Israel         | Owens         |
| Blumenauer  | Jackson (IL)   | Pascarell     |
| Borski      | Jackson-Lee    | Payne         |
| Brady (PA)  | (TX)           | Pelosi        |
| Brown (FL)  | Jefferson      | Phelps        |
| Brown (OH)  | Johnson (CT)   | Pomeroy       |
| Capps       | Johnson, E. B. | Rangel        |
| Capuano     | Jones (OH)     | Rodriguez     |
| Carson (IN) | Kanjorski      | Roybal-Allard |
| Carson (OK) | Kaptur         | Sabo          |
| Clay        | Kildee         | Sanchez       |
| Clayton     | Kilpatrick     | Sanders       |
| Clyburn     | Kucinich       | Sawyer        |
| Condit      | LaFalce        | Schakowsky    |
| Conyers     | Lampson        | Schiff        |
| Costello    | Lantos         | Scott         |
| Coyne       | Lee            | Serrano       |
| Davis (CA)  | Levin          | Sherman       |
| Davis (IL)  | Lewis (GA)     | Slaughter     |
| DeFazio     | Lipinski       | Solis         |
| DeGette     | Lofgren        | Stark         |
| Delahunt    | Lowe           | Stupak        |
| DeLauro     | Luther         | Thompson (CA) |
| Deutsch     | Markey         | Thompson (MS) |
| Dingell     | Mascara        | Thurman       |
| Doggett     | Matsui         | Tierney       |
| Doyle       | McCarthy (MO)  | Udall (CO)    |
| Engel       | McCollum       | Udall (NM)    |
| Eshoo       | McGovern       | Visclosky     |
| Evans       | McNulty        | Waters        |
| Farr        | Meehan         | Watt (NC)     |
| Fattah      | Meek (FL)      | Waxman        |
| Filner      | Meeks (NY)     | Weiner        |
| Frank       | Millender      | Wexler        |
| Gephardt    | McDonald       | Woolsey       |
| Green (TX)  | Miller, George |               |

## NOT VOTING—19

|          |           |              |
|----------|-----------|--------------|
| Ackerman | Edwards   | Ros-Lehtinen |
| Baird    | Hoyer     | Rothman      |
| Bonior   | Inslee    | Snyder       |
| Cramer   | Kingston  | Toomey       |
| Cummings | McDermott | Towns        |
| Deal     | McKinney  |              |
| Dunn     | Norwood   |              |

## □ 1123

Ms. SOLIS, Mrs. NAPOLITANO, Mr. POMEROY, Mrs. MEEK of Florida, Mr. FARR of California, Mrs. DAVIS of California, Mr. LAMPSON, Mr. GEPHARDT and Ms. MILLENDER-MCDONALD changed their vote from "yea" to "nay."

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## GENERAL LEAVE

Mr. SESSIONS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 333.

The SPEAKER pro tempore (Mr. QUINN). Is there objection to the request of the gentleman from Texas?

There was no objection.

## APPOINTMENT OF MEMBERS TO PERMANENT SELECT COMMITTEE ON INTELLIGENCE

The SPEAKER pro tempore. Without objection, and pursuant to clause 11 of rule X and clause 11 of rule I, the Chair announces the Speaker's appointment of the following Members of the House to the Permanent Select Committee on Intelligence:

Mr. BISHOP of Georgia,  
Ms. HARMAN of California,  
Mr. SISISKY of Virginia,  
Mr. CONNIT of California,  
Mr. ROEMER of Indiana,  
Mr. HASTINGS of Florida, and  
Mr. REYES of Texas.

There was no objection.

## BANKRUPTCY ABUSE PREVENTION AND CONSUMER PROTECTION ACT OF 2001

The SPEAKER pro tempore (Mr. WALDEN of Oregon). Pursuant to House Resolution 71 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 333.

## □ 1125

## IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 333) to amend title 11, United States Code, and for other purposes, with Mr. QUINN in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentleman from Michigan (Mr. CONYERS) each will control 30 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. SENSENBRENNER).

Mr. SENSENBRENNER. Mr. Chairman, I yield myself 6 minutes.

Mr. Chairman, I rise in support of H.R. 333, the Bankruptcy Abuse Prevention and Consumer Protection Act of 2001.

Mr. Chairman, this bill is a bipartisan, balanced, and comprehensive package of reform measures pertaining to both consumer and business bankruptcy cases. The purpose of the bill is to improve bankruptcy law and practice by restoring personal responsibility and integrity in the bankruptcy system, and to ensure that the system is fair to both debtors and creditors.

With respect to its consumer provisions, H.R. 333 responds to several significant developments. One of these de-

velopments was the dramatic increase in consumer bankruptcy filings during the 1990s and the losses associated with those filings. Based on data released by the Administrative Office of the United States Courts, bankruptcy filings increased by more than 72 percent between 1994 and 1998. Mr. Chairman, for the first time in our Nation's history, bankruptcy filings exceeded 1 million in 1996. In calendar year 1997 alone, bankruptcy filings increased by more than 19 percent over the prior year. By 1998, the number of bankruptcy filings, according to the AO, reached an all-time high of more than 1.4 million cases. Although the most recent reporting periods indicate the filings have somewhat decreased, the Administrative Office states they remain well above the 1 million mark. Paradoxically, this dramatic increase in bankruptcy filing rates has occurred during a period when the economy was generally robust, with relatively low unemployment and high consumer confidence.

Coupled with this development was the release of a study estimating that financial losses attributable to bankruptcy filings in 1997 exceeded \$44 billion. The committee received testimony in the last Congress stating that this figure, when amortized on a daily basis, amounts to a loss of at least \$110 million a day.

Please note, those of us who pay our bills as we have agreed end up having to absorb these losses through higher costs and bank fees and interest rates.

Various other studies which thereafter became available concluded that some bankruptcy debtors can in fact repay a significant portion of their debts.

The heart of H.R. 333's consumer bankruptcy provisions is the implementation of an income-expense screening mechanism, usually referred to as a means-based or means test reform.

## □ 1130

These provisions are designed to ensure that debtors repay creditors the maximum they can afford.

In addition, the bill institutes significant consumer protection reforms, including mandatory credit counseling requirements and specific disclosures in connection with certain credit transactions.

The reforms are aimed to help debtors understand their rights and obligations with respect to reaffirmation agreements are also included in the legislation.

In addition, the legislation substantially expands the debtor's ability to exempt certain tax-qualified retirement accounts and pensions. It also creates a new provision that allows a consumer debtor to exempt certain education IRA and State tuition plans for his or her child's postsecondary education from the claims of creditors.